

Rule 12.180. Third-Party Practice

(a) When Available. At any time after commencement of the action a respondent may have a summons and petition served on a person not a party to the action who is or may be liable to the respondent for all or part of the petitioner's claim against the respondent, and may also assert any other claim that arises out of the transaction or occurrence that is the subject matter of the petitioner's claim. The respondent need not obtain leave of court if the respondent files the third-party complaint not later than 20 days after the respondent serves the original answer. Otherwise, the respondent must obtain leave on motion and notice to all parties to the action. The person served with the summons and third-party complaint, the third-party respondent, must make defenses to the respondent's claim as provided in rules 12.110 and 12.140 and counterpetitions against the respondent and crossclaims against other third-party respondents as provided in rule 12.170. The third-party respondent may assert against the petitioner any defenses that the respondent has to the petitioner's claim.

(b) Additional Claims. The third-party respondent may also assert any claim against the petitioner arising out of the transaction or occurrence that is the subject matter of the petitioner's claim against the respondent. The petitioner may assert any claim against the third-party respondent arising out of the transaction or occurrence that is the subject matter of the petitioner's claim against the respondent, and the third-party respondent must assert a defense as provided in rules 12.110 and 12.140 and counterpetitions and crossclaims as provided in rule 12.170. Any party may move to strike the third-party claim or for its severance or separate trial. A third-party respondent may proceed under this rule against any person not a party to the action who is or may be liable to the third-party respondent for all or part of the claim made in the action against the third-party respondent.

(c) When Petitioner May Bring in Third Party. When a counterpetition is asserted against the petitioner, the petitioner may bring in a third party under circumstances which would entitle a respondent to do so under this rule.